IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7144 of 2005

Between:

Syed Abbas, S/o Syed Hussain,
H.No. 2-3-417, Amberpet, Hyderabad.

..... PETITIONER

AND

1 The Assistant Secretary,

Regional Transport Authority,

East Zone, Hyderabad.
2 The Motor Vehicle Inspector,

Attapur, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction especially, one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing No. AP 11 U 4526 vide vehicle check report No. 2701969 dt. 22-3-2005 under Sec. 8 of A.P. Motor Vehicle Taxation Act, 1963 is illegal, arbitrary and violative of Article 19 (1) (g) of the Constitution of India and consequently direct the respondent to release the petitioner's vehicle bearing No. AP 11 U 4526 immediately.

Counsel for the Petitioner: Mr. CH.RAVINDER

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

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ORDER: (per GB,J)

This Writ Petition is filed seeking to declare the seizure of the petitioner's vehicle bearing No. AP 11U 4526 vide vehicle check report No.2701969, dated 22-03-2005 under Section 8 of the A.P. Motor Vehicle Taxation Act, 1963, as illegal, arbitrary and violative of Article 19(1)(g) of the Constitution of India and consequently to direct the respondents to release the same.

2. We have heard the learned Government Pleader.

3. In view of the facts and circumstances, the Writ petition is disposed of directing the respondents to release the vehicle of the petitioner on collecting the tax, due as on date, pending enquiry. The petitioner shall also give an undertaking that he shall not alienate the vehicle or create any charge over the vehicle pending enquiry.

4. Accordingly, the Writ Petition is disposed of. No order as to costs.

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G.BIKSHAPATHY,J

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P.S.NARAYANA,J

1st April, 2005.

Note:

Furnish C.C. by 04-04-2005.

B/o

Tsy/es

To

1 The Assistant Secretary,

Regional Transport Authority,

East Zone, Hyderabad.

2 The Motor Vehicle Inspector,

Attapur, R.R. District.

3 Two CCs to the GP for Transport,

High Court Buildings, Hyderabad (O.U.T.)

4 Two CD copies